

Remarks

Claims 25-45 are pending in the application.

Rejection under 35 USC § 103

Claims 25-45 are rejected under 35 USC § 103 as being obvious over US Patent No. 4,895,841 to Sugimoto et al ("Sugimoto") in view of Iga et al, *Alcohol & Alcoholism*, 36(6):553-555 (2001) ("Iga") or Hikida et al, *PNAS*, 100(10):6169-6173 (2003) ("Hikida").

Applicants respectfully traverse the rejection.

US Application No. 10/824,593 (the present application) was filed on April 15, 2004, and claims priority to PCT/US02/32998 filed October 17, 2002, which claims priority to US Application No. 60/329,529 filed October 17, 2001. The pending claims are supported by both priority documents, as exemplified in the comparison of the pending claims to the disclosure in US Application No. 60/329,529 filed October 17, 2001, as set forth in the table below.

US Application No. 10/824,593	Exemplary Support in US Application No. 60/329,529 filed October 17, 2001
Claims 25-28	Page 1, lines 3-5, 21-22; Page 2, lines 3-6; Page 11, lines 8-22; Page 12, lines 6-13.
Claims 29-31	Page 11, lines 8-18; Page 13, lines 24-27.
Claims 32-35	Page 11, lines 8-18; Page 14, lines 16-22; Page 16, lines 2-29.
Claims 36-39	Page 2, lines 4-10; Page 11, lines 8-18.
Claims 40-41	Page 1, lines 23-25; Page 2, lines 11-16; Page 11, lines 8-18.
Claim 42	Page 1, lines 26-28; Page 2, lines 17-19; Page 11, lines 8-18.
Claims 43-45	Page 1, lines 3-5, 21-22; Page 2, lines 3-6; Page 3, line 1 to Page 10, line 23.

Iga is not prior art to the pending claims. Iga's article was published in *Alcohol & Alcoholism's* Volume 36, Number 6 which is the November/December 2001 issue of the journal, as shown on page 1 in Exhibit A. This information was obtained from <http://alcalc.oxfordjournals.org/content/vol36/issue6/index.dtl>. The National Library of Medicine documents *Alcohol & Alcoholism's* Volume 36, Number 6 issue of the journal as being available to the public on January 29, 2002, as shown on page 2 in Exhibit B.

Iga's journal article was published after the earliest priority date of the present application (i.e., October 17, 2001). Because Iga was published after the earliest priority date of the present application and the pending claims are supported by the provisional application with the earliest priority date, Iga is not prior art to the pending claims, and cannot be used to reject the pending claims under 35 USC § 103. Accordingly, Applicants will not address any substantive issues regarding Iga's publication.

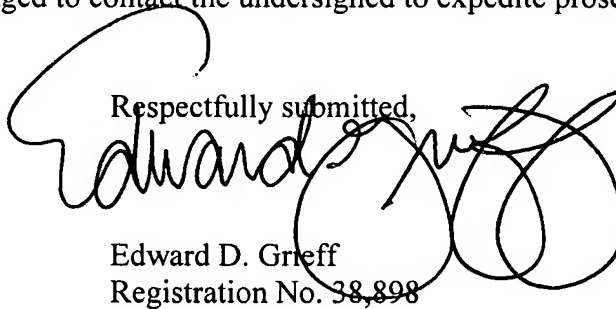
Hikida is not prior art to the pending claims. Hikida was published on May 13, 2003, i.e., more than 1 year and 5 months after the provisional application to which the present application claims priority; and more than 5 months after the PCT application to which the present application claims priority. Because Hikida was published after the earliest priority date of the present application and the pending claims are supported by the provisional application with the earliest priority date (as discussed in detail in the table above), Hikida is not prior art to the pending claims, and cannot be used to reject the pending claims under 35 USC § 103. Accordingly, Applicants will not address any substantive issues regarding Hikida's publication.

Because Iga and Hikida are not prior art to the pending claims, Applicants respectfully submit that the obviousness rejection cannot stand, and respectfully request that the rejection under 35 USC § 103 be withdrawn.

Conclusion

An early and favorable reconsideration and allowance of claims 25-45 is respectfully requested. The Examiner is encouraged to contact the undersigned to expedite prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward D. Grieff", is written over the typed name and registration number. The signature is fluid and cursive, with a large loop at the end.

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Registration No. 38,898

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